

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JACK K. STEIN,

Plaintiff,

v.

GARY LUCAS,

Defendant.

Case No. C04-5499FDB

ORDER

This matter is on appeal from the Court's order adopting the Report and Recommendation and dismissing the habeas petition as unexhausted. Plaintiff has written a series of letters to the Court concerning his case, primarily rearguing the merits of the matter. There is nothing presently before the U. S. District Court, the record on appeal was transmitted August 1, 2005, and the Clerk shall destroy any further correspondence from Plaintiff and shall not place it in the file unless and until this matter is remanded to this Court from the Ninth Circuit Court of Appeals.

SO ORDERED.

DATED this 8<sup>th</sup> day of August, 2005.



FRANKLIN D. BURGESS  
UNITED STATES DISTRICT JUDGE